

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT
7 WESTERN DISTRICT OF WASHINGTON
8 AT SEATTLE

9 UNITED STATES OF AMERICA,
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11 Plaintiff,
12 v.
13 JOSEPH LOREN ALLEN,
14 Defendant.

CASE NO. CR18-0292-JCC
ORDER

15 This matter comes before the Court on the Government's motion to seal (Dkt. No. 38)
16 certain exhibits to its response to Defendant's motion to compel (Dkt. No. 39).

17 The Court starts from the position that "[t]here is a strong presumption of public access to
18 [its] files." W.D. Wash. Local Civ. R. 5(g)(3); *see also Nixon v. Warner Commc'ns, Inc.*, 435
19 U.S. 589, 597 (1978). However, a particularized showing of good cause will suffice to warrant
20 sealing discovery documents attached to non-dispositive motions. *Kamakana v. City and Cnty. of*
21 *Honolulu*, 447 F.3d 1172, 1180 (9th Cir. 2006).

22 The exhibits the Government seeks to maintain under seal are documents relating to use
23 of force investigations conducted by the City of Auburn Police Department, which detail police
24 officers' interactions with private citizens. (Dkt. No. 39.) The Government acknowledges that
25 these documents are subject to public disclosure under Washington law. (*See* Dkt. No. 38 at 2.)
26 As the Government has not made a particularized showing of good cause sufficient to overcome

1 the strong presumption of public access to the Court's files, the Government's motion to seal
2 (Dkt. No. 38) is DENIED. Within 48 hours of the issuance of this order, the Government shall
3 withdraw the exhibits that are currently filed under seal. (Dkt. No. 39.) In their place, the
4 Government shall publicly file the exhibits. The Government may elect to file redacted versions
5 of the exhibits.

6 DATED this 20th day of May 2019.

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10 John C. Coughenour
11 UNITED STATES DISTRICT JUDGE
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